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Equal Protection Clause: One of the rights of the 14th Amendment

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Equal Protection Clause

The equal protection clause is one of the three major provisions of section 1 of the 14th Amendment of the U.S. Constitution. Ratified on 9th July 1868, the clause states no state within its jurisdiction shall deny or refuse the equal protection of the laws.

Section 1 of the **14th Amendment annotates** that:

All people born or naturalized in the United States should be considered as the citizens of the U.S, no state shall enforce any law that may reduce the pThe 14th amendment is one of the most important amendments when the focus is on the rights of citizens and states. privileges or the immunities of the citizen of the U.S, no person shall be deprived of life, liberty, or even property without due process of law by the state, no state shall deny or refuse to any person within its jurisdiction the equal protection of the laws.

From the above statement, it is clear that the “equal protection of the laws” is the equal protection clause.

The clause focuses on the statement that neither the state nor the government should deny giving equal protection of the law and must treat an individual as similar to others. It does not mean that every individual will be equal but the law for everyone would be equal and the same, no discrimination should be imposed by the state based on the law.

Right after the civil war, congress felt the need for protecting the rights of African Americans that were severely repressed, and thus the Equal protection law came into force.

The equality provision that was in the Civil Rights Act of 1866, served to be the primary motivation for this clause. Later the [14th amendment](#) applied more restrictions to the states than was applied before the Civil War.

The applicability of the Equal Protection clause

This clause of the **14th amendment** was passed to handle the discrimination that was done against African Americans by most of the states. This clause tended to end and prevent any type of discrimination based on race, sex, or class by the government of the state, it also gives protection from discrimination against certain groups of people such as non-citizens and illegitimate children.

The 14th amendment equal protection clause focussed on protecting the African American from the act of discrimination by the state and women discrimination was not included.

It was the 1896 case of Plessy V. Ferguson when it was strongly argued that it was unconstitutional according to the **14th amendment** that the African American will have to travel in a separate train car. For this supreme court said that it did not prohibit laws requiring segregation for whites and blacks and there the court ruled that “separate but equal” facilities were allowed thus the idea of separate but equal came and the supreme court said that as long as it is equal it is alright to be separate, it also may not violate the rights mentioned in the 14th amendment.

The Brown v Board of Education case of 1954 again evoked the right of the 14th amendment in which the argument was separate and could not be equal, and the supreme court agreed with the argument and said that schools cannot be segregated therefore they needed to be desegregated.

Well, there has been no clear role in determining the classification is unconstitutional or constitutional.

Over time the supreme court has made stringent laws regarding the protection clause in certain cases. If the state is found to allow a certain right to a particular group and denying the same right for some other group then there the clause is found to be violated. Now, here supreme court will scrutinize when it encompasses a suspect classification and the state must prove classification found compelling interest to the law.

So, [the equal protection](#) clause deals with the fact that the law will be equal to everyone and no discrimination will be imposed by the state based on race, national origin, class, gender.

Contact Details

CORPORATE OFFICES

GetLegal Headquarters

1300 Summit Avenue, Suite 670

Fort Worth, TX 76102

Sales: 844-GET-LEGAL

Fax: 817-359-7077

CALIFORNIA OFFICE

25 Taylor Street, #617-GL

San Francisco, CA 94102

Website: <https://www.getlegal.com/>



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